

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 22-8352-WM

UNITED STATES OF AMERICA

v.

MAURICE THADDEUS SIMS,

Defendant. _____ /

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shanick Maynard)? ____ Yes ☒ No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? ____ Yes ☒ No

Respectfully submitted,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

BY: _____



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FILED BY KJZ D.C.

Aug 11, 2022

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S. D. OF FLA. - West Palm Beach

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

MAURICE THADDEUS SIMS,

Case No. 22-8352-WM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 20, 2022 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 922(g)(1), 924(a)(2)
21 U.S.C. §§ 841(a)(1), (b)(1)(C),
(b)(1)(D)Felon in Possession of a Firearm and Ammunition
Possession with Intent to Distribute Oxycodone, N,N-Dimethylpentylone
("bath salts"), and Marijuana

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.*Daniel Szczepanski*

Complainant's signature

Special Agent Daniel Szczepanski, FBI

Printed name and title

Sworn and Attested to me by Applicant by Telephone (FaceTime) pursuant to Fed. R. Crim. P. 4(d) and 4.1

Date: August 11, 2022*William Matthewman*

Judge's signature

City and state: West Palm Beach, FL

William Matthewman, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

I, Daniel J. Szczepanski, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND JURISDICTION

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and I have been so employed since January 2006. I am currently assigned to PB-2, the Violent Crimes and Major Offender Squad of the Palm Beach County Resident Agency, which investigates bank robberies, narcotics trafficking, fugitives, firearms offenses, and other violent crimes. Prior to joining PB-2, I was assigned to the financial crime squad of the FBI's Palm Beach County Resident Agency for 10 years. Based on my experience as a federal law enforcement officer, I have also conducted criminal investigations involving or relating to sophisticated financial schemes, including identity theft, wire fraud, mail fraud, bank fraud, money laundering, and access device fraud.

2. Pursuant to 18 U.S.C. § 3052, I am authorized to apply for and execute search warrants and arrest warrants for offenses enumerated in Titles 18 and 21 of the United States Code. I have participated in and directed numerous investigations involving violent crime, trafficking in controlled substances, firearms offenses, identity theft, wire fraud, mail fraud, bank fraud, and various types of fraud committed using stolen identities. As a result of my training and experience, I am familiar with the tactics, methods, and techniques of committing those crimes.

3. This affidavit is based upon my own personal knowledge of the facts and circumstances surrounding the investigation and information provided to me by other law

enforcement officers. I have not included in this affidavit each and every fact known to me about the matters set forth herein, but only those facts and circumstances that I believe are sufficient to establish probable cause for this Court to authorize a criminal complaint charging MAURICE THADDEUS SIMS (hereinafter SIMS) with violations of Title 18, United States Code, Section 922(g)(1) – Felon in Possession of a Firearm, and Title 21, United States Code, Sections 841(a)(1) – Possession with intent to distribute marijuana, oxycodone, and synthetic cathinones (“bath salts”).

4. On October 20, 2021, the City of Boca Raton Police Department (BRPD) conducted a traffic stop on a black Hyundai Sonata bearing a temporary Florida tag DAV2340 after the vehicle was observed running a red light and failing to come to a complete stop prior to turning right on a red light. The sole occupant of the vehicle was identified as L.S. A records check was conducted on L.S., which revealed that she had a non-extraditable warrant out of Bibb County, Georgia, for shoplifting. The officer issued a verbal warning for the moving violations. During the traffic stop, L.S. provided officers with consent to search the vehicle. Officers located a loaded silver and black Smith & Wesson, .40 caliber, semi-automatic handgun, Model SD 40VE, Serial Number: FYC3111, underneath the front passenger seat. The firearm was not secured in a holster and had 14 rounds of ammunition in the magazine, with one (1) round in the chamber. A subsequent records check revealed the firearm was not stolen.

5. L.S. denied any knowledge of the firearm and advised that she was not the daily driver of the vehicle, and that the vehicle belonged to her brother, SIMS. L.S. stated that she borrowed the vehicle because her vehicle had a malfunctioning tag light. Officers

learned that SIMS had a significant criminal history, including multiple felony convictions, thus precluding SIMS from being able to lawfully possess a firearm. As such, L.S. provided officers with permission to take possession of the firearm for safe keeping.

6. According to the Florida Driver and Vehicle Information Database (D.A.V.I.D.), the vehicle was registered to SIMS. The registration transaction history shows that the vehicle registration was effective as of September 30, 2021, with an issued temporary tag of DAV2340. The current Florida tag 26BCEB was issued December 11, 2021.

7. On October 21, 2021, BRPD swabbed the grips, trigger/guard, slide, sights, magazine, and bullets for possible DNA. All swabs were packaged, sealed, and submitted to BRPD evidence under case number 2021-012362.

8. Your Affiant learned that a Bureau of Alcohol, Tobacco, Firearms, and Explosives National Integrated Ballistic Information Network (NIBIN) investigative lead was developed through correlation review of ballistic evidence. The Smith & Wesson firearm test fired from BRPD case number 2021-012362 (traffic stop) was related to crime evidence recovered from the Palm Beach County Sheriff's Office (PBSO) case number 2021-103028 (shooting at occupied building), which occurred on September 3, 2021.

9. On April 26, 2022, the Florida Department of Highway Safety and Motor Vehicles (DHSMV) issued SIMS a notice that his driver's license was suspended.

10. On May 11, 2022, SIMS was sentenced in the Fifteenth Judicial Circuit for Palm Beach County for a State of Florida felon-in-possession of a firearm charge. As part of that sentence, which was orally pronounced in SIMS' presence, SIMS' driver's license

was revoked.

11. On July 18, 2022, law enforcement personnel obtained a search warrant issued out of the Fifteenth Judicial Circuit for Palm Beach County to collect DNA from SIMS in connection with the firearm recovered from the October 20, 2021, BRPD traffic stop.

12. On July 19, 2022, law enforcement conducted surveillance on a residence that SIMS was known to frequent to locate SIMS in order to execute the DNA search warrant. While conducting surveillance, and despite knowing that his license was suspended and then revoked, SIMS departed the residence driving his black Hyundai Sonata bearing FL Tag 26BCEB and began to travel westbound on Palm Beach Lakes Blvd, then made a U-turn to travel eastbound. Law enforcement attempted to conduct a traffic stop on the vehicle at Palm Beach Lakes Blvd and N. Australian Ave. The PBSO Deputy was in an unmarked PBSO vehicle but utilized his vehicle's emergency lights and siren to conduct the traffic stop. Upon initiating the emergency lights and siren, SIMS immediately fled eastbound at a high rate of speed.

13. At the time of the attempted traffic stop, there was heavy vehicle traffic. SIMS was traveling at a high rate of speed eastbound when his vehicle approached the intersection of Palm Beach Lakes Blvd and Tamarind Ave. SIMS made no attempt to stop or slow down when he proceeded through the intersection causing other traffic to defensively avoid a serious / fatal traffic crash. There also was heavy pedestrian traffic on the sidewalks. Due to SIMS aggressively fleeing law enforcement and the reckless manner in which he was driving, law enforcement did not pursue for fear of SIMS seriously injuring

someone.

14. Based on SIMS' conduct on July 19, 2022, PBSO obtained an arrest warrant for SIMS on July 20, 2022, for Flee/Elude Law Enforcement pursuant to F.S.S. 316.1935(3)(a), Driving While License Suspended with Knowledge pursuant to F.S.S. 322.34(2), and Reckless Driving pursuant to F.S.S. 316.192.

15. On July 20, 2022, stationary and aerial surveillance were conducted at 1350 N Dixie Hwy, Apartment 8, Boca Raton, Florida, the residence of SIMS' sibling (L.S.), who was the occupant of SIMS' vehicle when BRPD recovered the Smith & Wesson firearm on October 20, 2021. SIMS' black Hyundai Sonata bearing FL tag 26BCEB was parked outside the residence. Law enforcement was attempting to locate and apprehend SIMS for the felony arrest warrant for Flee / Elude Law Enforcement, Reckless Driving, Driving While License Suspended with Knowledge, and for the active DNA search warrant signed on July 18, 2022, by the Honorable Judge Debra Stephens, Fifteenth Judicial Circuit for Palm Beach County.

16. While conducting surveillance, including aerial surveillance, SIMS was observed entering and exiting the front door of Apartment 8 and going back and forth between the apartment and a silver Honda parked next to his black Hyundai Sonata to unload items from the vehicle, which was parked directly in front of the apartment door. Your Affiant has reviewed the videorecording from the aerial surveillance and one can see that SIMS had a large heavy object in his right front pocket that required him to pull up his sweatpants repeatedly as he moves back and forth. Law enforcement attempted to make contact with SIMS outside the front door of the apartment. As law enforcement approached

SIMS, agents activated their vehicle emergency lights and siren. SIMS observed the law enforcement vehicles and Agents, then began to flee on foot back inside Apartment 8, and immediately exited the back door of the apartment.

17. As SIMS exited the back door, law enforcement observed SIMS running westbound through the apartment complex from the back door of the apartment. A law enforcement officer identified himself/herself and ordered SIMS to stop running and get on the ground. During this time, SIMS reached into his right front pocket, retrieved a black firearm with extended magazine and threw it northbound onto the roof of the apartment. A law enforcement officer gave commands to SIMS to get on the ground. Once again, SIMS failed to comply with commands and continued to sprint in the direction of law enforcement. Shortly thereafter, law enforcement officers were able to gain control of SIMS and he was taken into custody. SIMS' actions, including throwing the firearm, were captured on aerial surveillance.

18. While in custody, SIMS spontaneously asked the law enforcement officer if the officer could forget seeing SIMS throw the firearm. The law enforcement officer told SIMS that he could not do that, and SIMS continued to ask the officer to forget about the gun. Law enforcement did not ask SIMS any questions, because SIMS had not been *Mirandized*. However, SIMS proceeded to ask law enforcement officers questions to the effect of "why were you [law enforcement] looking for me [SIMS]?" SIMS was advised that there was an active felony arrest warrant from fleeing from the traffic stop from the previous day (07/19/2022), as well as a DNA search warrant. SIMS then stated, "I had a bad run in with police and thats why i aint stop."

19. The firearm was recovered from the roof with fresh latex gloves. The firearm was a black Glock 27, .40-caliber semi-automatic pistol, with an extended magazine, Serial Number: BPLZ101, as shown in the photographs below.



Figure 1 & 2: Photographs of firearm in place on roof



Figure 3: Glock 27, SN: BPLZ101 (secured with magazine removed)

20. In addition, law enforcement conducted a protective sweep of Apartment 8, which belonged to SIMS' sibling, L.S. Upon making entry into the apartment, law enforcement observed, in plain view, a grey backpack on the couch near the front door of the residence. The front zipper to the backpack was partially opened, exposing a clear plastic zippered bag containing a green leafy substance and what appeared to be other clear plastic bags.

21. The backpack was identified as an SK9 Premium Odorless Technology bag with a combination zipper lock on the main compartment. The backpack was also equipped with odor-eliminating technology. Based on your affiant's training and experience, the backpack is used to evade law enforcement detection by securing the contents via the locking mechanism and neutralizing the odor of illegal narcotics within the backpack.

22. Record checks of the Medical Marijuana Use Registry website revealed that

SIMS is not registered as having been diagnosed with a condition that warrants the use of marijuana by a qualified ordering physician as required under Florida law. Thus, SIMS is not authorized to possess low THC Cannabis, medical marijuana, or delivery services.

23. While on scene, law enforcement had contact with the tenant of Apartment 8, SIMS' sibling, L.S., who advised that SIMS did not live with her/him, and that the grey backpack belonged to SIMS. L.S. voluntarily provided consent to search the apartment and accompanied law enforcement into the apartment to retrieve the backpack. L.S. advised that SIMS did not have any other belongings inside the residence, as L.S. escorted law enforcement through the residence. No other illegal items were observed in plain view.

24. A subsequent search warrant for SIMS' black Hyundai issued out of the Fifteenth Judicial Circuit for Palm Beach County, yielded the seizure of an empty Glock handgun case for a Glock 23 bearing serial number: BUZG566, which was located in the trunk of the Hyundai. Also located in the vehicle was one (1) dose of suboxone; 18 oxycodone/acetaminophen loose tablets (24 grams) that were identified via drugs.com (Schedule II controlled substance), and one (1) plastic bag containing a white powder, packaged weight of 30 grams, which field tested positive for the presence of "bath salts." Also recovered from the vehicle was a Glock magazine with an undetermined amount of ammunition. The bag containing the "bath salts" was submitted to PBSO's laboratory, which confirmed that the packaging contained N,N-Dimethylpentylone, a Schedule I controlled substance, that is considered a synthetic cathinone. The net weight without packaging was 27.1805 grams.



25. SIMS' NCIC report states that he has fourteen (14) felony charges and multiple felony convictions. Your affiant has reviewed certified copies of SIMS' felony convictions filed in the Fifteenth Judicial Circuit in and for Palm Beach County and the Seventeenth Judicial Circuit in and for Broward County. Your Affiant has reviewed certified copies of the following convictions:

- a. SIMS' last felony conviction was on May 19, 2022, when he pled guilty to Possession of Cocaine, Felon in Possession of a Firearm, and Unlicensed Carrying of a Concealed Firearm [reference court case: 502020CF001221CXXXMB]. SIMS was sentenced to a period of incarceration of 36 months with the Department of Corrections with the condition that he could receive an 18-month reduction if he self-surrendered for his jail sentence on November 1, 2022 and had no new arrests.
- b. On December 8, 2015, SIMS was adjudicated guilty in Palm Beach County, for Burglary of an Unoccupied Dwelling, a second-degree felony, and

Possession of Oxycodone, a third-degree felony, following a plea of guilty, and was sentenced to four years' probation [reference court case: 502015CF003086AXXXMB]. On September 22, 2017, SIMS was re-sentenced, after violating his probation, to 52 months' imprisonment with credit for 792 days' time served.

- c. On August 13, 2015, SIMS was adjudicated guilty in Broward County, for Robbery with a Firearm, a first-degree felony, and Attempted Robbery with a Firearm, a second-degree felony, after pleading nolo contendere [reference court case: 14-2812-CF-10A].

26. The firearm and ammunition recovered on July 20, 2022, have been evaluated by an expert on interstate nexus who has determined that they have affected interstate or foreign commerce by virtue of having been manufactured – in whole or in part – outside the State of Florida and having been found inside the State of Florida at the time of their seizure.

27. Based on the foregoing, I respectfully submit that there is probable cause to believe that on or about July 20, 2022, the defendant, MAURICE THADDEUS SIMS, did knowingly possess a firearm and ammunition, in and affecting interstate and foreign commerce, knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1); and did knowingly possess with intent to distribute a controlled substance, that is, marijuana, oxycodone, and N,N-Dimethylpentylone, a Schedule I

synthetic cathinone, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), (b)(1)(D).

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Daniel Szczepanski

Daniel J. Szczepanski
Special Agent
Federal Bureau of Investigation

Sworn and Attested to before me by Applicant by Telephone (Facetime)

pursuant to Fed. R. Crim. P. 4(d) and 4.1 this 11th day of August, 2022.

William Mattheuman

WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE